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Hilton Parish Council Procedure **Eligibility of a Hilton Parish Councillor** **Co-Option**

s.87(2) of the Local Government Act 1972 ("the 1972 Act") requires Hilton Parish Council to give public notice of casual vacancies. There is no statutory requirement to give public notice of any Hilton Parish Council vacancies which remain unfilled after an ordinary election (s.21(2) Representation of the People Act 1985).

- **When a vacancy arises, if this is not in an election year, the Clerk to Hilton Parish Council will contact the Elections Officer at SDDC and request a copy of the notice of Vacancy.**
- **Once the notice is received the Clerk will complete the notice of a vacancy form and will place the notice on the Parish Council notice board and website to advertise the vacancy.**

The public notice of vacancy advertised by the Clerk invites applications from candidates who satisfy (1) the eligibility criteria for being a councillor and (2) the competencies listed in a person specification, agreed by the council.

Once the Clerk receives a receipt of a candidate's written self-certification which confirms they meet the statutory requirements to be a member of a local council, the council will need to fairly consider if candidates are suitable for co-option. Candidates may be assessed by whether or not they meet the criteria in a person specification, agreed by the council.

To initially assess a candidate's suitability under the statutory requirement the Clerk will ask the following questions to establish if the prospective candidate is suitable to be co-opted as a councillor to Hilton Parish Council as follows:

A person is eligible to be co-opted provided they qualify to be a Councillor pursuant to s. 79 of the 1972 Act and is not disqualified pursuant to s.80 of the 1972 Act as follows:

To be eligible to become a councillor, candidates must:

- **be over 18 years of age.**
- **be a British subject, or a citizen of a commonwealth country or another country in the European community.**
- **be an elector for the area in which you would like to stand, or have occupied as owner or tenant any property, or worked in that area throughout the 12 months immediately before you are nominated. You may be eligible if you lived, worked or owned land within 4.8 kms of the boundary of the area of Hilton).**

Candidates are disqualified if they:

- **are employed by that council.**

- **Are subject to an interim bankruptcy restriction order, a bankruptcy restrictions order, an interim debt relief restrictions order or debt relief restrictions order.**
- **have been convicted of a criminal offence and sentenced to not less than three months imprisonment including a suspended sentence without the option of a fine within the last five years.**
- **you hold a politically restricted post for another authority.**
- **you have been disqualified under any the representation of the People Act 1983 for any corrupt or illegal electoral practices and offences relating to donations.**

Candidates for co-option do not need any formal qualifications to become a Hilton Parish Councillor.

If the candidate is deemed suitable to be co-opted at this stage, the Clerk should add the co-option of a Councillor to the next available meeting of Hilton Parish Council for the Council to make a decision on the co-option as a corporate body using the person's specification for the vacancy.

PERSONS SPECIFICATION – HILTON PARISH COUNCIL - CO-OPTION OF A COUNCILLOR

DATE.....

DESCRIPTION OF OFFICE.....

COMPETENCY	ESSENTIAL	DESIRABLE	COMMENTS
Relevant knowledge, Education, Professional Qualifications & Training	<ul style="list-style-type: none"> ▪ Sound knowledge and understanding of local affairs and the local community. • Other requirements as appropriate 	<ul style="list-style-type: none"> ▪ A levels/Degree level and or • Specific Vocational training or professional qualification (e.g. accountant, teacher, surveyor, architect) may be specified. 	
Experience, Skills, Knowledge and Ability	<ul style="list-style-type: none"> ▪ Solid interest in local matters. • Ability and willingness to represent the Council and their community. • Good interpersonal skills. • Ability to communicate clearly both orally and in writing. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Good reading and analytic skills. • Ability and willingness to work with the council's partners (e.g. voluntary groups, other parish councils, principal authority, charities). • Ability and willingness to undertake relevant training. • Ability to work under pressure. 	<ul style="list-style-type: none"> ▪ Knowledge of HR, procurement, contract management, financial control or risk management and compliance, public relations • Experience of working in another public body or not for profit organisation • Experience of working with voluntary and or local community/ interest groups. • Basic knowledge of legal issues relating to town and parish councils or local authorities. • . • Experience of delivering presentations. • Experience of working with the media. • Experience in financial control/budgeting • Experience of staff management 	
Other requirements	<ul style="list-style-type: none"> ▪ Ability and willingness to attend meetings of the council (or the meetings of other local authorities and local bodies) in the evening and events in the evening and at weekends. • Flexible • Enthusiastic. 		

If there is only one vacancy and one candidate and the candidate is eligible, not disqualified and fulfils the person's specification. Hilton Parish Council will co-opt that candidate with immediate effect as a Hilton Parish Councillor under the item as specified on the agenda of that Parish Council Meeting. Hilton Parish Council will not argue that there are special reasons which justify excluding the public during this part of the Council Meeting, (s.1(2) Public Bodies (Admission to Meetings) Act 1960) when it is making decisions about a matter of public interest such as the co-option of a Councillor.

If there is only one vacancy and 2 or more candidates qualify for the vacancy, but not enough candidates apply to warrant a by-election, Hilton Parish Council should follow the following procedure:

The current serving Councillors will vote by a show of hands for each candidate. This is so that the voting during the meeting remains transparent at all times. The candidate at each stage of voting with the least number of votes will drop out of the running at this stage. The Council will then follow the same rules until only one candidate is left. This candidate will then be co-opted with immediate effect onto Hilton Parish Council.

Review Date: May 2019

[Approved 30.05.2018 minute ref 2212/18](#)